

DOCKET NO.: CC-3397/4772US4

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brifcani, et al.

Confirmation No.: 1866

Application No.: 10/024,862

Group Art Unit: 3725

Filing Date: December 18, 2001

Examiner: Lowell A. Larson

For: CAN END METHOD FOR FIXING SAME TO A CAN BODY

DATE OF DEPOSIT:

June 30, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Harold H. Fullmer

REGISTRATION NO.: 42,560

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).



In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

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the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☒ The fee of **\$180.00** as set forth in § 1.17(p) is requested to be **charged to Deposit Account No. 23-3050.**

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).

- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. _____, filed _____.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

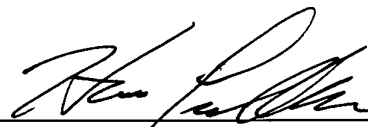
REMARKS

Applicants submit the enclosed Office Action that issued in United States Patent Application Number 10/417,980, which claims priority to the instant application. The Office Action, issued by Examiner Nguyen, from the 980 application relies on United States Patent Number 5,046,637 ("Kysh") in view of Unexamined Japanese Utility Model Application No. 57-117323 ("JP") to reject the independent claim. The Kysh and JP references are already of record in the instant application. The 980 application has claims directed to the can end, as distinguished from the method claims of the present application.

Applicant also reminds the Examiner of the existence of two abandoned applications and an issued patent to which the instant application claims priority: United States Patent Application Number 09/650,664, filed August 30, 2000, which is a continuation of United States Patent Application Number 09/552,668, filed April 19, 2000, which is a continuation of United States Patent Application Number 08/ 945698, now United States Patent Number 6,065,634. None of the Office Actions in the parent cases were issued by Examiner Larson. The rejections in the Office Actions of the parent applications were directed to claims reciting a can end, as distinguished from the method claims of the present application.

If the Examiner would like copies of the Office Actions in the parent applications for the Examiner's convenience, Applicants will provide such copies at the Examiner's request.

Date: **June 30, 2004**


Harold H. Fullmer
Registration No. **42,560**

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



Sheet 1 of 1

Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. CC-3397/4772US4		Application No. 10/024,862	
	Applicant Brifcani, et al.			
	Filing Date December 18, 2001		Group 3725	
	Confirmation No. 1866			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
	87	Submission of Enclosed Office Action dated February 3, 2004 , that issued in United States Patent Application Number 10/417,980 which claims priority to the instant application		
EXAMINER		DATE CONSIDERED		